

Report Date: July 3, 2006
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**United States District Court**

for the

JUL 14 2006**Eastern District of Washington****JAMES R. LARSEN, CLERK**
DEPUTY
SPOKANE, WASHINGTON**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Ty Patrick Gunion Case Number: 2:02CR00176-001
Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, U.S. District Judge
Date of Original Sentence: 01/24/2003 Type of Supervision: Supervised Release
Original Offense: Felon in Possession of Firearm and Date Supervision Commenced: 11/28/2003
Ammunition, 18 U.S.C. § 922(g)(1))
Original Sentence: Prison - 21 Months; TSR - 36 Date Supervision Expires: 03/19/2007
Months

PETITIONING THE COURT

To modify the conditions of supervision as follows:

You shall reside in a residential reentry center for a period of up to 180 days. You shall not be entitled to the benefits of the prerelease component. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

CAUSE

Ty Gunion is considered in violation of his supervised release in the Eastern District of Washington in the Eastern District of Washington by his use of alcohol on/or about December 31, 2005, contrary to special condition number 17.

On December 31, 2005, Mr. Gunion was attending a New Year's Eve party. At approximately 11 p.m., police made contact with this offender based on a call of an assault in progress and a possibility of individual/s with weapons. When police made contact with Mr. Gunion, they observed the offender's speech was slurred and he had a strong odor of intoxicating beverages on his breath. Mr. Gunion was subsequently arrested and charged with second degree assault and fourth degree assault.

Mr. Gunion was found not guilty of second degree assault and fourth degree assault in Spokane County Superior Court. The jury was hung on the lesser included offense of unlawful display of a weapon. The deputy prosecuting attorney declined to prosecute the defendant again for the offense of unlawful display of a weapon.

By July 12, 2006, Ty Gunion will sign a waiver of hearing agreeing to participate in a residential reentry center for a period of up to 180 days. His attorney and the government are in agreement with this recommendation. The undersigned officer will facilitate placement at the Bannum Place of Spokane, if Your Honor concurs.

Prob 12B

Re: Gunion, Ty Patrick

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It is respectfully recommended that the waiver of hearing to modify conditions of supervised release be adopted to require Ty Gunion to reside in, and satisfactorily participate in, a residential reentry center program as a condition of supervised release up to 180 days.

Respectfully submitted,

by



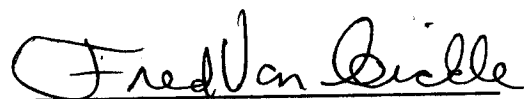
Gloria Petretee

U.S. Probation Officer

Date: July 11, 2006

THE COURT ORDERS

- J FVS
- ☐ No Action
 - ☐ The Extension of Supervision as Noted Above
 - ☒ The Modification of Conditions as Noted Above
 - ☐ Other



Signature of Judicial Officer

July 14, 2006

Date

PROB 49
(3/89)**United States District Court****Eastern District of Washington****Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

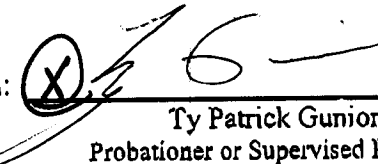
To modify the conditions of supervision as follows:

You shall reside in a residential reentry center for a period of up to 180 days. You shall not be entitled to the benefits of the prerelease component. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

Witness:


after the fact

Gloria Petretee
U.S. Probation Officer

Signed:


Ty Patrick Gunion
Probationer or Supervised Releasee

7-11-06

Date


7/11/06 Federal Defender
Acty for Gunion